

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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BENSLEY CONSTRUCTION, INC., on its own behalf  
and on behalf of all others similarly situated,

Plaintiff,

v.

MARSH & MCLENNAN COMPANIES, INC.,  
MARSH, INC., ACE USA, ACE INA, AMERICAN  
INTERNATIONAL GROUP, AMERICAN RE-  
INSURANCE COMPANY, ARTHUR J. GALLAGHER  
& CO., HILB ROGAL & HOBBS, COMPANY,  
WILLIS GROUP HOLDINGS, LTD., WILLIS NORTH  
AMERICA INC., WILLIS GROUP LTD., UNIVERSAL  
LIFE RESOURCES, UNIVERSAL LIFE RESOURCES,  
INC. (d/b/a ULR INSURANCE SERVICES, INC.), THE  
CHUBB CORPORATION, USI HOLDINGS, INC.,  
METLIFE, INC., PRUDENTIAL FINANCIAL, INC.,  
UNUMPROVIDENT CORPORATION, THE ST. PAUL  
TRAVELERS COMPANIES, INC., ZURICH  
AMERICAN INSURANCE COMPANY, LIBERTY  
MUTUAL GROUP INC., LIBERTY MUTUAL  
INSURANCE COMPANY, LIBERTY MUTUAL FIRE  
INSURANCE COMPANY, EMPLOYERS  
INSURANCE COMPANY OF WAUSAU, and ST.  
JAMES INSURANCE COMPANY LTD.,

Defendants.

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Civil Action No. 05 11249 GAO

**JOINT MOTION REGARDING ENLARGEMENT OF TIME AND EXPANSION OF  
PAGE LIMITS FOR DEFENDANTS' RESPONSE TO THE MOTION TO REMAND  
AND THE MOTION TO SUBSTITUTE REPRESENTATIVE PLAINTIFF AND FOR  
LEAVE TO FILE A SECOND AMENDED COMPLAINT, AND PLAINTIFF'S  
REPLY THERETO**

Plaintiff, Bensley Construction, Inc., and the undersigned Defendants, hereby jointly move this Court for the following relief, each of which is consented to by both Plaintiff and the undersigned defendants:

1. The undersigned Defendants'<sup>1</sup> time to file its response to the Plaintiff's Motion to Remand and Motion to Substitute Representative Plaintiff and for Leave to File a Second Amended Complaint shall be extended to August 15, 2005.
2. The undersigned nineteen Defendants' singular response to the Motion to Remand shall be no longer than 30 pages.
3. Plaintiff shall have the right to file a Reply to said responses, at Plaintiff's option, by September 9, 2005.

Dated August 11, 2005.

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<sup>1</sup> The Complaint names as a Defendant "American International Group" and not "American International Group, Inc." In filing this stipulation, the named Defendants reserve any and all rights and defenses available under Rule 12 of the Federal Rules of Civil Procedure, including but not limited to, arguments concerning ineffective service of process, personal jurisdiction, and that any defendant is not a proper party to this action.

Bensley Construction Inc.

Marsh & McLennan Companies, Inc., and Marsh Inc., on their own behalf and on behalf of and with the consent of ACE USA; ACE INA; Zurich American Insurance Company; American International Group, Inc.; American Re-Insurance Company; Arthur J. Gallagher & Co.; Hilb Rogal & Hobbs, Company; Willis Group Holdings, Ltd.; Willis North America Inc.; Willis Group Ltd.; Universal Life Resources; Universal Life Resources, Inc. (d/b/a ULR Insurance Services, Inc.); USI Holdings Corp.; MetLife, Inc.; Prudential Financial, Inc.; UnumProvident Corporation; The St. Paul Travelers Companies, Inc.,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the Joint Motion Regarding Enlargement of Time and Expansion of Page Limits for Defendants' Response to the Motion to Remand and the Motion to Substitute Representative Plaintiff and for Leave to file a Second Amended Complaint, and Plaintiff's Reply Thereto was served upon the following by electronic notice and/or first-class mail on August 11, 2005:

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